IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE R.SUBHASH REDDY**

**WRIT PETITION NO: 9761 of 2005**

Between:

St. Mary Educational Society, Siddipet, rep. by its Secretary Smt. V. Sandhya.

**.... PETITIONER**

AND

1 The Government of Andhra Pradesh, rep. by its Secretary,

School Education, Secretariat, Hyderabad.
2 The Commissioner and Director of School Education, Andhra

Pradesh, Hyderabad.
3 The Chairman, State Level Standing Committee and

Commissioner & Director of School Education,
Andhra Pradesh, Hyderabad.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in not considering the case of the Petitioner-Society for grant of No Objection Certificate to establish B.Ed. College at Lingareddypally H/o Siddipet, Medak District is arbitrary, unreasonable and consequently direct the respondents to consider the application of the Petitioner Society or grant of No Objection Certificate to establish B.Ed , College at Lingareddypally, H/o Siddipet , Medak District on par with the others and to pass such other and further orders as this Hon'ble Court may deems fit and proper.

**Counsel for the Petitioner: MR.M.KONDAL RAO**

**Counsel for the Respondents: GP FOR EDUCATION**

**The Court made the following:**

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**ORDER**:

The petitioner, an Educational Society, has earlier applied for grant of `No objection', for setting up a College of Education. The 2nd respondent, Commissioner and Director of School Education, by order dated 26.5.2004, passed in Rc.No.2822/N2-2/2001, rejected for issuance of 'No Objection Certificate' on the ground that the Society was not having required extent of land, for grant of `No Objection Certificate', to establish such a college at Siddipet division of Medak District.

2. Subsequently, the petitioner has purchased land and also got executed registered documents, in favour of the Educational Society, and thereafter, he has filed further representation dated 15.9.2004. In the said representation, the petitioner has indicated that, he has acquired land in an extent of 5 acres situated in Sy.Nos.318 and 382 at Siddipet.

3. Though I do not find any illegality in the order dated 26.5.2004, in rejecting no objection on the ground mentioned, but, however, as the petitioner has acquired the required extent of land subsequent to passing of the order, and also made further representation on 15.9.2004, I dispose of the writ petition directing the 2nd respondent to consider for issuance of no objection certificate, taking into account the subsequent developments of acquisition of land by the petitioner-Educational Society. Such consideration shall be as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of copy of this order.

4. Subject to above direction, the writ petition is disposed of. No order as to costs.

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**R.SUBHASH REDDY, J**

Dated: 29.04.2005

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To

1 The Secretary, Government of Andhra Pradesh,

School Education, Secretariat, Hyderabad.
2 The Commissioner and Director of School Education, Andhra

Pradesh, Hyderabad.
3 The Chairman, State Level Standing Committee and

Commissioner & Director of School Education,
Andhra Pradesh, Hyderabad.

4 2 CCs to G.P for Education, High Court Buildings, Hyd.(OUT)

5 2 CD copies.